

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

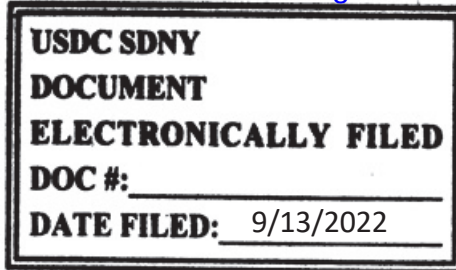
Willet Davidson,

Plaintiff,

-against-

Department of Corrections et al.,

Defendants.



1:20-cv-09500 (LGS) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

The Court is in receipt of Plaintiff's September 2, 2022 Letter (filed on the docket on September 12, 2022) asking the Court to direct Defendants to file their motion for summary judgment. (Pl.'s 9/12/2022 Letter, ECF No. 65.) Defendants' summary judgment motion was timely filed on April 14, 2022 and served on Plaintiff at his current address. (See Defs.' Notice of Motion, ECF No. 55; Cert. of Service, ECF No. 62.) Plaintiff was to file his opposition to Defendants' motion for summary judgment by May 16, 2022. (See 3/31/2022 Order, ECF No. 54 (granting extension of time and setting revised briefing schedule).)

After not receiving any opposition from Plaintiff, I entered an Order on June 3, 2022, extending Plaintiff's time to oppose the motion and informing Plaintiff that failure to do so would result in the Court's consideration of Defendants' motion papers only. (6/3/2022 Order, ECF No. 64.) The June 3, 2022 Order was mailed to Plaintiff by the Clerk of Court. (See 6/6/2022 Docket Text Entry.) That Order was not returned as undeliverable. Regardless, because it appears that Plaintiff may not have received Defendants' motion for summary judgment, it is hereby Ordered that Defendants shall re-serve Plaintiff with their motion papers no later than September 16, 2022. Plaintiff shall file his opposition to Defendants' motion for summary judgment (or a letter

indicating that he does not intend to file any opposition) no later than October 7, 2022. Failure to do so will result in the Court deciding the motion on Defendants' motion papers only. If Plaintiff files an opposition, Defendants shall file any reply no later than October 14, 2022.

SO ORDERED.

Dated: New York, New York
September 13, 2022

A handwritten signature in black ink, reading "Stewart D. Aaron". The signature is written in a cursive, flowing style. The first name "Stewart" is written with a capital 'S' and a lowercase 't'. The middle initial "D." is written with a capital 'D' and a period. The last name "Aaron" is written with a capital 'A' and a lowercase 'n'. The signature is positioned above a horizontal line.

STEWART D. AARON
United States Magistrate Judge